

Remarks

Claims 1-24 were presented for examination. In the Office Action, Claims 1-8 are rejected under 35 USC 103(a) as being unpatentable over Li et al (US 2002/0094162 A1, hereinafter "Li") in view of We et al (US 2003/0090809 A1, hereinafter "Wu") and Claims 9-11, 15-17, and 19-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner is thanked for the thoughtful review of the application. The foregoing amendments to Claims 1 and 12 have further distinguished from the cited references. Claims 22-24 have been cancelled. Reconsideration of claim 1-21 is respectfully requested in view of the amendments and the following remarks..

As amended, Claim 1 recites:

forming a first assembly including a first lens assembly and an optical filter, the optical filter reflecting light beams at wavelengths other than a selected wavelength and transmitting a light beam at the selected wavelength, wherein the first assembly possesses a mechanical axis;
forming a second assembly including a second lens assembly;
positioning initially the first assembly and the second assembly coaxially with the optical filter facing the second assembly; and
adjusting the second assembly laterally away from the mechanical axis of the first assembly such that any light beam refracting from the first assembly is collected with a minimum loss by the second assembly.

As supported in FIG. 5, the second assembly is laterally adjusted away from the mechanical axis of the first assembly such that the light beam refracting off the mechanical axis from the lens 502 can be optimally collected. In other words, the first assembly and the second assembly are not coaxially aligned (by a certain amount). As a result, the insertion loss of a device so designed in accordance with the once-amended claim 1 is minimum.

In contrast, FIG. 2 or FIG 7 of Li clearly shows that two assemblies are perfectly coaxially aligned. Wu also shows in FIG. 2 that the two assemblies 22 and 26 are perfectly coaxially aligned. Evidently, neither Li nor Wu have taught or suggested "adjusting the second assembly laterally away from the mechanical axis of the first assembly". In fact, both Li and Wu have just taught the opposite by coaxially aligning two assemblies. Accordingly, the Applicant respectfully submits the once-amended Claim 1 shall be allowable over Li or Wu, viewed singly or in combination. The indication of claim 9 to be allowable by the Examiner appears to concur with the arguments herein. Reconsideration of claim 1-11 is respectfully requested.

Claim 12 is also amended to include similar features recited in the once-amended claim 1. The Applicant wishes to apply the above arguments to support the once-amended Claim 12. Accordingly, the Applicant respectfully submits the once-amended Claim 12 shall be allowable over Li or Wu, viewed singly or in combination. Reconsideration of claim 12-21 is respectfully requested.

In view of the above amendments and remarks, it is believed that the pending claims 1-21 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

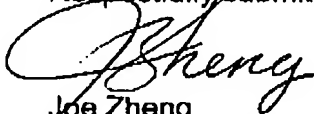
If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.
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on 09/04/2004.


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Respectfully Submitted


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